

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHATEAU AT HILLSBOROUGH, LLC, a
Nebraska limited liability company;

Plaintiff,

vs.

ELECTROLUX HOME PRODUCTS,
INC., a Delaware Corporation;
FERGUSON ENTERPRISES, INC., a
Virginia Corporation; and FERGUSON
ENTERPRISES, LLC, a Virginia limited
liability company;

Defendants.

8:19CV451

AMENDED PROGRESSION ORDER

This matter is before the court on the parties' joint motion to extend certain progression deadlines, (Filing No. 29). After consideration, IT IS ORDERED that the final progression order is extended as follows:

- 1) The telephonic status conference set for **February 16, 2021 at 9:00 a.m.** is continued to **May 17, 2021 at 9:00 a.m.**
- 2) The deadlines for complete expert disclosures¹ for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): February 16, 2021.

For the defendant(s): April 5, 2021.

Plaintiff(s)' rebuttal: May 4, 2021.

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

- 3) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is June 1, 2021.
- 4) The deadline for filing motions to dismiss and motions for summary judgment is June 30, 2021.
- 5) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is June 30, 2021.
- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 10th day of November, 2020.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge